



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**VIA UPS**

Larry Wiler  
Facilities Manager  
Schramm, Inc.  
800 E. Virginia Avenue  
West Chester, PA 19380

**Re: Notice of Violation  
Compliance Evaluation Inspection  
May 13, 2015  
EPA ID No. PAD002329340**

**Docket Number: R3-15-NOV-RCRA-26**

Dear Mr. Wiler:

On May 13, 2015, the U.S. Environmental Protection Agency, Region III ("EPA") conducted a Compliance Evaluation Inspection ("CEI") under the Pennsylvania Solid Waste Management Act (SWMA), as amended, 35 P.S. 6018.101 - 6018.1003, and the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. Sections 6901 et seq. at your facility. A copy of the inspection report is enclosed. Based on that inspection and/or review of other pertinent information, EPA has determined that the Schramm, Inc. (the Facility) is violating regulations promulgated under the Pennsylvania SWMA and RCRA. As a result of this finding, the Agency is issuing this **Notice of Violation (NOV)**. The specific violation is:

The following violations are pursuant to regulations for Small Quantity Generators:

1. The roll off box containing waste solvent wipes and waste spray booth filters outside of building #6 (Photo #9) and the drums of fluid in the empty drum storage area (Photo #1, 2, 3) did not meet the waste determination requirements in 25 PA 262a [40 CFR 262.11] which requires the generator of solid waste determine whether the waste is hazardous.
2. Universal waste bulbs in facility maintenance building not containerized (Photo #11, 12, 13, 14) pursuant to 25 PA 266b [40 CFR 273.13 (d)(1)] which requires universal waste bulbs be stored in a closed, structurally sound container, adequate to prevent breakage.
3. Universal waste bulbs in facility maintenance building not labeled (Photo #11, 12, 13, 14) as required by 25 PA 266b [40 CFR 273.14 (e)] which calls for the waste bulb container(s) to be marked as "Universal Waste Lamps", "Waste Lamps" or "Used Lamps".

4. Universal waste bulbs in facility maintenance building not dated (Photo #11, 12, 13, 14) pursuant to 25 PA 266b [40 CFR 237.15 (c)(1)] which requires the waste bulbs be placed in a container marked with the earliest date that any bulb in the container became waste.

The following violations are pursuant to regulations for Large Quantity Generators:

5. The Preparedness, Prevention and Contingency (PPC) plan did not meet the requirement for emergency coordinator contact information in accordance with 25 PA 265a [40 CFR § 265.52 (d)] which requires a list of names with contact information of all emergency coordinators.
6. The PPC plan is in need of update or revision pursuant to 25 PA 265a [40 CFR § 265.54 (d)] with the change in the facility's emergency coordinator.
7. The training records did not meet the requirements of 25 PA 265a [40 CFR § 265.16 (d) (1) and 40 CFR § 265.16 (d) (2)] which require the job title for each position at the facility related to hazardous waste management and a written job description for these listed positions, respectively (painters).
8. The training records did not meet the requirements of 25 PA 265a [40 CFR § 265.16 (a)(1)] which requires training for personnel who handle hazardous waste (painters).
9. The training records did not meet the requirements of 25 PA 265a [40 CFR § 265.16 (c)] which requires annual review of hazardous waste training (painters).


Within twenty (20) calendar days of the receipt of this NOV, please submit a response documenting the measures the facility has taken or is taking to achieve compliance with the violations noted above or provide an explanation of facts and circumstances that cause you to believe that EPA's determination of the alleged violations are in error. If the compliance measures identified are planned or are on-going, please provide a schedule for when the compliance measures will be completed.

Section 3008(a) of RCRA authorizes EPA to take an enforcement action whenever it is determined that any person has violated, or is in violation, of any requirement of RCRA as amended. Such an action could include a penalty of up to \$37,500 per day of violation. In addition, failure to achieve and maintain compliance with the regulations cited in this NOV may be treated as a repeated offense and may constitute a "knowing" violation of Federal law.

This NOV is not intended to address all past violations, nor does it preclude EPA from including any ongoing, including the one cited in this letter, or past violations in any future enforcement action. Response to this NOV shall be addressed to:

Eric Greenwood  
Land and Chemicals Division (3LC70)  
U.S. Environmental Protection Agency - Region III  
1650 Arch Street  
Philadelphia, PA 19103

With regard to the Small Business Regulatory Enforcement and Fairness Act (SBREFA), please see the "Information for Small Businesses" memo, enclosed, which might be applicable to your company. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue this enforcement action. To preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action. EPA has not made a determination as to whether or not you [or your company] are covered by the SBREFA.

  
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Carol Amend, Associate Director  
Land and Chemicals Division  
Office of Land Enforcement

July 7, 2015  
Date

Enclosure

cc: M. Gross, PADEP (Central Office) w/Enclosure  
P. Belgiovane (3LC70) w/o Enclosure  
E. Greenwood (3LC70) w/o Enclosure